

**FORM A**

**FORM TO BE USED BY A PRISONER IN FILING A COMPLAINT  
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983**

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF IOWA**

*Roger Joseph Hoffert Jr.*  
*#1026352*

(Enter above the **FULL** name and inmate  
number of the plaintiff or  
plaintiffs in this action.)

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CLERK U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF IOWA

vs.

**COMPLAINT**

*① Chris Jones*

*② Nick Ludwick*

*③ Iowa Department of  
Corrections*

*④ Tom Mulligan*

(Enter above the **FULL** name of each  
defendant in this action.)

(NOTE: If there is more than one plaintiff, the information in parts I and II should be shown for EACH plaintiff by name, using a separate sheet of paper.)

I. Previous Lawsuits:

*NONE*

- A) Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment? ☐ Yes ☒ No
- B) If your answer to A is "YES", please answer the questions 1 through 7. (If there is more than one lawsuit, describe the additional lawsuits on another sheet of paper, using the same outline.)

1.) Parties to this previous lawsuit:

Plaintiffs:

*NONE*

Defendants:

2.) Court (If federal court, name the district; if state court, name the county.)

*NONE*

- 3.) Docket Number: *NONE*
- 4.) Name of Judge to whom case was assigned: *NONE*
- 5.) Disposition, if known (for example: Was the case dismissed? Was it appealed? Is it still pending?) *NONE*
- 6.) Approximate date of filing lawsuit: *NONE*
- 7.) Approximate date of disposition: *NONE*

II. Place of confinement:

- A) Is there a prisoners grievance procedure in this institution?  
☒ Yes ☐ No
- B) Did you present the facts relating to your complaint in the state prisoner grievance procedure?  
☒ Yes ☐ No
- C) If your answer is Yes,
- 1.) What steps did you take? *I submitted a grievance, then appealed it to the warden then appealed it to Des Moines to the Regional Director.*
- 2.) What was the result? *ALL my [REDACTED] grievances were denied.*
- If your answer was No, explain why not:
- D) If there is no prison grievance procedure in the institution, did you complain to prison authorities?  
☐ Yes ☐ No *Does not apply / NONE*
- E) If your answer is Yes:
- 1.) What steps did you take? *NONE*
- 2.) What was the result? *NONE*

III. Parties

(In item A below, place your name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

- A) Name of Plaintiff: *Roger Joseph Hottel Jr. #1026352*  
Address: *Iowa State Penitentiary*  
*P.O. Box 316 Fort Madison, Iowa 52627*
- B) Additional Plaintiffs:  
*NONE*

(In item C below, place the full name of the defendant in the first blank, and his official position in the second blank, and his place of employment in the third blank. Use item D for the names, position, and places of employment of any additional defendants.)

C) Defendant: is employed as at  
 ① Chris Jones a Correctional Officer Iowa State Penitentiary P.O. 316  
 Fort Madison, Ia 52621

D) Additional Defendants:

IV. ② Nick Ludwig Warden Iowa State Penitentiary P.O. 316  
 ③ Iowa Department of Corrections  
 ④ 510 East 12th St.  
 Des Moines Ia 50319

This complaint is brought pursuant to 42 U.S.C., § 1983, and jurisdiction is based on 28 U.S.C. § 1343 (c). Plaintiffs(s) allege(s) that the defendant(s) acted under color of state law with regard to the facts stated in part V of this complaint.

④ Tom Mulligan P.O. 316 Iowa State Penitentiary  
 Fort Madison Ia 52621

#### V. Statement of Claim

(State here as briefly as possible the FACTS of your case. You MUST state exactly what each defendant personally did, or failed to do, which resulted in harm to you. Include also the names of other persons involved (for example, other inmates) and state the date and place of all events. Attach an extra sheet if necessary and write the heading PART V CONTINUED at the top of the sheet.

Keep to the facts. Do not give any legal arguments or cite any cases.)

VI. Relief On 3-19-11 I was assaulted by C/O Chris Jones and Tom Mulligan and other officers. I was slapped, punched, a hard item (a radio?) was placed on my face and the C/O used his body weight to smash my face. My wrists were attempted to be broken and Mike Pitala Ringier. I was slapped and punched by Chris Jones and my face was smashed by Chris Jones. Chris Jones and other officers twisted my wrists.

(State briefly exactly what you want the court to do for you. Make no legal arguments. Do not cite cases or statutes.)

I am requesting the court to order the Department of Corrections to make compensation to me in the amount of \$500,000.00 for violating my constitutional rights, and for my injuries, and for the assault, and for the harassment and threats I was subjected to.

#### VII. Statement regard Assistance in preparing this Complaint.

A) Did any person other than a named plaintiff in this action assist you in preparing this complaint?

☐ Yes ☒ No

B) If your answer is Yes, name the person who assisted you.

NONE

C) Signature of person who helped prepare this complaint.

(SIGNATURE)

(DATE)

#### VIII. Signature(s) of Plaintiff(s)

Signed this 12<sup>th</sup> day of September 20 11.

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1:00 PM

Part V Continued

September 12<sup>th</sup> 2011

(Attempting to break them or injure me.  
Chris Jones and other C/O's <sup>including Tom Mulligan</sup> also were  
trying to snap my pinkie fingers. All  
of this occurred at Iowa State Penitentiary  
outside of the chow hall. I did not  
resist the officers' while I was  
on the ground and stated repeatedly  
for them to stop and made statements  
like "oww", "please stop" and "you're  
going to break my wrists." Even after  
I was being held down by Chris  
Jones and also other C/O's, they continued  
to injure my wrists and snap my  
pinkies. I made allegations of being  
punched and slapped by ~~the~~ Lieutenant  
Spanstrom that was escorting me  
back which resulted in false statements  
being made by Chris Jones in the Major

Part V Continued

Pagett  
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## ISP Offender Letterhead

report that he wrote me as a result of this incident. Those statements were made to shift blame on me concerning the incident and exonerate himself and the other C/O's from any misconduct. My accusations gave him warning that his log of Hottel conduct would come into question # 1026352

therefore he fabricated details and facts concerning the incident. C/Os at 6-1-11 I began to be harassed in the hallways to and from chow and yard by C/O Mulligan and other C/O's. I was threatened on more than 1 occasion that if they got fired over the incident they would "beat my ass" and if I filed a grievance they would "make me sorry" and "would kick my ass". I was

Part V Continued

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called names on several occasions  
by these same officers such  
as "Faggott" "snitch" and  
"big tough bitch".

Leop Hoff  
#026352

I would like to state that when  
the reference ~~is~~ made referring to  
other officers, I am referring  
to officer Tom Mulligan as  
well as officers that I do not  
have access to the names of.

Leop Hoff

Robert A. Hoffert #1026352  
(Signature of Plaintiff)

Signatures of additional plaintiffs, if any:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Letter to Court #1026352*  
IOWA STATE PENITENTIARY  
P.O. Box 316  
FT. MADISON, IA 52627

NOTICE: This correspondence was mailed from  
an Institution operated by the Iowa Department  
of Corrections. The contents are uncensored.

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CLERK U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF IOWA

*Clerk of Court  
US District Court  
P.O. Box 9344  
Des Moines, Ia*



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